



TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187
www.ellington-ct.gov

TEL. (860) 870-3120

TOWN PLANNER'S OFFICE

FX (860) 870-3122

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, DECEMBER 16, 2019, 7:00 PM
TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

MEMBERS PRESENT: Chairman Arlo Hoffman, Vice Chairman Bill Hogan, Regular Members Robert Sandberg, Jr., Ricci Hirth, F. Michael Francis and Michael Swanson, and Alternates Jon Moser and Keith Durao

MEMBERS ABSENT: Regular Member Sean Kelly

STAFF PRESENT: Lisa Houlihan, Town Planner and Barbra Galovich, Recording Clerk

I. CALL TO ORDER: Chairman Arlo Hoffman called the meeting to order at 7:00 PM.

PUBLIC COMMENTS (On non-agenda items): None

Chairman Hoffman welcomed newest member, Mike Swanson, who was elected to the board the recent election cycle. He also acknowledged Carol Strom, who chose not to run after many years of great service to the board. He thanked her for her service.

II. PUBLIC HEARING(S):

1. Z201922 – George Fetko and Jennifer Smyth, owners/applicant, request for a special permit for construction of a pole barn style shed within 15 feet of side yard setback at 208 Abbott Road, APN 078-005-00000 in a RAR (Rural Agricultural Residential) zone

TIME: 7:01 PM

SEATED: Hoffman, Hogan, Sandberg, Jr., Hirth, Francis, Swanson and Moser

Mr. George Fetko, 206 Abbott Road, was present to represent the application. Mr. Fetko said he owns 208 Abbott Road and is looking to construct a pole barn for agricultural use closer than 50 feet to the side property line. He explained that he owns three adjacent parcels, but doesn't intend on merging them at this time. The structure will be dry storage with no utilities. Ms. Lisa Houlihan, Town Planner, stated Section 7.14.3 (A) of the Zoning Regulations requires a Special Permit to construct the barn closer than 50 feet to the side yard.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201922 – GEORGE FETKO AND JENNIFER SMYTH, OWNERS/APPLICANT, REQUEST FOR A SPECIAL PERMIT FOR CONSTRUCTION OF A POLE BARN STYLE SHED WITHIN 15 FEET OF SIDE YARD SETBACK AT 208 ABBOTT ROAD, APN 078-005-0000 IN A RAR (RURAL AGRICULTURAL RESIDENTIAL) ZONE.

MOVED (SANDBERG) SECONDED (HOGAN) AND PASSED UNANIMOUSLY TO APPROVE Z201922 – GEORGE FETKO AND JENNIFER SMYTH, OWNERS/APPLICANT, REQUEST FOR A SPECIAL PERMIT FOR CONSTRUCTION OF A POLE BARN STYLE SHED WITHIN 15 FEET OF SIDE YARD SETBACK AT 208 ABBOTT ROAD, APN 078-005-0000 IN A RAR (RURAL AGRICULTURAL RESIDENTIAL) ZONE.

2. Z201923 – James A. Moser owner/ Everett Skinner IV, applicant, request for a zone change on West Road, APN 037-003-0000, in a RAR (rural agricultural residential) and PC (Planned Commercial) zone to PC (Planned Commercial) zone.

Chairman Hoffman recused himself from this application.

TIME: 7:08 PM

SEATED: Hogan, Sandberg, Hirth, Francis, Swanson and Durao

Plans reviewed: Proposed Zone Change prepared for Skinner & Schneider Parties, 120 West Road, Ellington, Connecticut; F.A. Hesketh & Associates, Inc., 3 Creamery Brook, East Granby, CT 06029; Scale: 1"=70'; Sheet No. ZC-1 pg 1 of 1; Date: 11-xx-2019. Conceptual Site Plan prepared for Skinner & Schneider Parties, 120 West Road, Ellington, Connecticut; F.A. Hesketh & Associates, Inc., 3 Creamery Brook, East Granby, CT 06029; Scale: 1"=70'; Sheet No. CP-1 pg 1 of 1; Date: 11-xx-2019.

Guy Hesketh, F.A. Hesketh & Associates, 6 Creamery Brook, East Granby, CT; Everett Skinner, IV and Chris Skinner of the Barnyard, 120 West Road, and Tim Schneider of Earthlight Solar & Energy Solutions, 92 West Road, were present to represent the application.

Mr. Hesketh stated there is a 25.6 acre parcel north of the existing Barnyard facility currently zoned Planned Commercial (PC) and Rural Agricultural Residential (RAR). The Barnyard and Earthlight request the whole parcel be changed to PC. The first 500 feet from West Road is zoned PC and the remaining land is zoned RAR. The applicants want to develop the land for commercial and retail uses. Mr. Hesketh reviewed a concept plan showing proposed activity on each parcel upon subdivision approval. Both parties will utilize the same paved driveway off of Route 83. Earthlight is proposing a retail/restaurant building, a commercial office building with outside storage, and a solar array to the rear of the site. Barnyard is proposing a retail/restaurant building, a commercial building with outside storage, and a storage area for display of sheds/garages.

Commissioner Francis asked about sharing access with an abutting property in order to avoid another curb cut on West Road. They are proposing a shared driveway for the entire site.

Ms. Houlihan, Town Planner, stated the applicants attended a staff meeting to review the proposed activity. She noted a soil scientist has conducted a field test and found no wetlands. Prior mapping was based on old United States Geological Survey and showed most of the land as wetlands. The sewer district line was drafted around the lot excluding it from the sewer service area. The field survey was accepted by the Inland Wetlands Agency and shared with the Water Pollution Control Authority (WPCA). WPCA supports the concept plan and approved the parcel to be within the sewer district. Ms. Houlihan noted the proposal is consistent with the Plan of Conservation & Development.

Vice Chairman Hogan inquired about the outside storage areas and large solar array. Mr. Hesketh responded that should a trade business need outside storage, they could utilize that area, which will be screened and fenced. Vice Chairman Hogan explained that both areas are very visible and expressed the importance of providing adequate screening.

Commissioners agreed they would like to see access shared to avoid additional driveway cuts along West Road. Everett Skinner stated they are proposing one driveway to be shared between the two parcels (businesses) to support tractor trailer access to the rear of the site. Chris Skinner explained the reason for the new shared driveway is to eliminate tractor trailer traffic from utilizing the driveway at Barnyard's current location. The proposed change will protect the public using the existing site.

Mr. Hesketh noted a rights to access easement from the proposed property to the west for farming purposes.

MOVED (SANDBERG) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR Z201923 – JAMES A. MOSER OWNER/ EVERETT SKINNER IV, APPLICANT, REQUEST FOR A ZONE CHANGE ON WEST ROAD, APN 037-003-0000, IN A RAR (RURAL AGRICULTURAL RESIDENTIAL) AND PC (PLANNED COMMERCIAL) ZONE TO PC (PLANNED COMMERCIAL) ZONE.

MOVED (SANDBERG) SECONDED (HIRTH) AND PASSED UNANIMOUSLY TO APPROVE Z201923 – JAMES A. MOSER OWNER/ EVERETT SKINNER IV, APPLICANT, REQUEST FOR A ZONE CHANGE ON WEST ROAD, APN 037-003-0000, IN A RAR (RURAL AGRICULTURAL RESIDENTIAL) AND PC (PLANNED COMMERCIAL) ZONE TO PC (PLANNED COMMERCIAL) ZONE, EFFECTIVE DATE OF JANUARY 1, 2020.

Chairman Hoffman was reseated.

III. OLD BUSINESS: None

IV. NEW BUSINESS:

1. Z201924 – Sandy Lechkun, owner/applicant, pursuant to Section 7.1 of the Ellington Zoning Regulations request for Special Permit for an accessory apartment at 205 Pinney Street, APN 044-011-0000, in a RAR (Rural Agricultural Residential) Zone.

BY CONSENSUS, RECEIVED AND SCHEDULED A PUBLIC HEARING FOR JANUARY 27, 2020, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, FOR Z201924 – SANDY LECHKUN, OWNER/APPLICANT, PURSUANT TO SECTION 7.1 OF THE ELLINGTON ZONING REGULATIONS REQUEST FOR SPECIAL PERMIT FOR AN ACCESSORY APARTMENT AT 205 PINNEY STREET, APN 044-011-0000, IN A RAR (RURAL AGRICULTURAL RESIDENTIAL) ZONE.

V. ADMINISTRATIVE BUSINESS:

BY CONSENSUS, THE COMMISSION WENT OUT OF AGENDA ORDER TO ADDRESS ITEMS #3 AND #4 OF ADMINISTRATIVE BUSINESS.

3. Discuss potential zone reclassification of fourteen parcels west of Stafford Road (Route 30) near the intersection of Routes 30 & 140.

Ms. Houlihan reviewed a potential reclassification of fourteen parcels west of Stafford Road near the intersection of Routes 30 & 140. The proposal was prompted by the owner of 1 Crystal Lake Road and discussed with the Commission in September. She analyzed the Plan of Conservation and Development (POCD), existing uses and sit conditions for the associated properties. She reviewed a map showing two potential rezoning plans. Ms. Houlihan described the different lot requirements and permitted/specially permitted uses between Commercial and Planned Commercial zones. After review and discussion, the commission agreed to proceed with a zone change application for four parcels north of Route 140 and west of Route 30, at the January 27, 2020, Planning & Zoning Commission meeting. The main parcels are 1 Crystal Lake Road (APN 128-008-0000); 100 Stafford Road (APN 148-019-0000); 116 Stafford Road (APN 148-020-0000) and 122 Stafford Road (APN 148-020-0001). The rear portion of 86 Burbank (APN 148-002-0000) will be proposed to be changed from PC & RAR to all RAR.

2. Request for informal discussion regarding LED detached gas price sign.

Ms. Houlihan explained during review of a recent request for Zoning Permit to replace signs and canopy at 1 Main Street, John Colonese, Zoning Enforcement Officer, found the existing, detached LED gas price sign to be installed without required permits. She noted since existing regulations do not authorize LED signs, the pending request for Zoning Permit cannot be issued. No enforcement has been taken at this time.

Mr. Ed Garronbone, GPM Investments, LLC, 8565 Magellan Parkway, Suite 400, Richmond, VA 23227, was present to discuss the LED detached gas price sign at Valero. He said the current sign has been erected since 2013 and the proposed new sign would have a dimmer light on the numbers which could be changed at corporate office up to two times a day. Vice Chairman Hogan was not in support of allowing LED signs. Commissioner Sandberg was okay with considering LED detached price signs if a mechanism to measure lumens was included. Commissioners Hirth and Francis are open to considering LED detached gas price signs. Commissioner Francis wants to keep regulations that disallow flashing or scrolling parts and suggested a hood with down lights be required. Alternate Moser was in favor of looking at the proposed regulation change. Commissioner Swanson asked what Big Y's gas station was approved for. Ms. Houlihan stated no internal illumination was approved. Alternate Durao was concerned about the amount of time the current sign has not been in compliance with the regulations. The commission suggested they come back with a formal application.

BY CONSENSUS. THE COMMISSION WENT BACK TO THE ORIGINAL AGENDA ORDER.

1. Approval of October 28, 2019 Regular Meeting Minutes.

MOVED (SANDBERG) SECOND (HIRTH) AND PASSED (ABSTAINED: HOGAN AND SWANSON) TO APPROVE OCTOBER 28, 2019 REGULAR MEETING MINUTES AS WRITTEN.

4. Appointment of PZC Representative to serve on the Permanent Building Committee.

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO APPOINT COMMISSIONER (KELLY) TO SERVE AS PZC REPRESENTATIVE ON THE PERMANENT BUILDING COMMITTEE FOR THE NEXT TWO YEAR TERM.

5. Correspondence:

- a. Charters Brook Bridge – Bridge replacement project notice from Department of Transportation, Kimberly C. Lesay, Transportation Assistant Planning Director.
- b. Memo dated December 9, 2019 – Understanding Workplace Violence & Prevention Strategies Training held on 10/29/2019.
- c. Connecticut DEEP Notice of Tentative Decision, Intent to Renew a State Permit for Country Pure Foods located at 58 West Road.
- d. Copy of 2019 Plan of Conservation and Development, Adopted as amended October 28, 2019, Effective November 30, 2019.

VI. ADJOURNMENT:

MOVED (FRANCIS) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE PLANNING & ZONING COMMISSION REGULAR MEETING AT 8:39 PM.

Respectfully submitted,

Barbra Galovich, Recording Clerk